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reference to Valentine but to the general background. This total view, based on researches not only of Bousset but of Reitzenstein, Usener, Dieterich, and Cumont, can hardly be supplanted by that offered by Faye, though the latter's critical discriminations provide improvements in detail.

Faye's treatment comes to a decisive test in the consideration of the group described in Irenaeus I. xxx. Here a feminine principle (the Mother, the Holy Spirit) has a rôle analogous to the Logos. Faye styles this circle *Les Adepts de la Mère*, meaning that they *originated* this conception (*ca.* 160) and that all other groups supporting it are subdivisions of this sect (*e. g.* Barbelognostics) or are borrowers from them (*e. g.* Marcosians). Faye refuses to ask what influenced them so to enthronize this feminine principle and simply insists that the circle appears after Basilides and Valentine. They spontaneously introduce this new element (the Mother) into a Valentinian complex of ideas. But here Faye's love of discriminating differences leaves him. It is difficult to view the system as a variant expression of Valentine's or to regard the Barbelognostics as a mere sub-variety of the circle of Irenaeus I. xxx. Both the latter are composite systems and betray a common background in a triadic conception (Father, Mother, Son). In the system of Marcus, equally composite, the notion of the divine Mother is the basis of a sacrament, and presumably then old, not new. These various propagandists of composite systems are contemporary and alike imply an original and simpler Gnostic type in which the heavenly Mother is a prominent element. Bousset tried to show that the Valentinian speculation also must have rested on this original triadic conception and that the original type is explicable from ancient Babylonian and Persian sources. The reviewer is convinced that Bousset's position is secure and that it furnishes the clue to this tangled evolution.

FRANCIS A. CHRISTIE.

#### BOOKS OF MEDIEVAL AND MODERN EUROPEAN HISTORY

*Englische Verfassungsgeschichte bis zum Regierungsantritt der Königin Victoria.* Von JULIUS HATSCHEK, Professor an der Universität Göttingen. [Handbuch der Mittelalterlichen und Neueren Geschichte, herausgegeben von G. von Below und F. Meinecke.] (Munich and Berlin: R. Oldenbourg. 1913. Pp. x, 761.)

DR. HATSCHEK is no tyro in the study of the English constitution. His work on English constitutional law (1905-1906) was recognized as a very valuable exposition, and its second volume, on administration, as an important contribution to English political science. Other lesser works show long and careful study in this field. Since the publishing of his *Staatsrecht*, he appears to have been working back through the enormous material incident to a study of English government from the

earliest times, and now appears this comprehensive constitutional history. His professed ambition is to do for this generation of Germans something of the service of Gneist for the preceding generation, to embody the results of recent scholarship—especially the work of Maitland, Vinogradoff, and Liebermann—and also to utilize the newly discovered sources of information. Dr. Hatschek knows the sources, and, upon occasion, writes straight from them; if something has been left undone he is quite likely to see it and do it himself. Moreover a new viewpoint is declared: Gneist was chiefly concerned to know how England attained self-government; Hatschek studies all English institutions in the light of parallel developments in Germany and France, and, more or less consciously, under a juristic *Tendenz*. He believes that he furnishes much not to be found in the English manuals, and he is right. Throughout he misses no opportunity to illustrate by foreign example, and he does this with the sure hand of a master. Free from traditional English limitations and methods, he places emphasis at will. Perhaps this is not always done wisely, but one welcomes the remarkable series of sections on legal history, finance, the church, and the army; also the attention paid to the minutiae of administrative method, the painstaking study of officials throughout (that of the Secretary of State is especially enlightening), the bold grappling with all the detailed perplexities of borough and parish. The feudal point of view is often prominent and the book should, in general, be classed with those which find a feudal origin for much that is in England's constitutional law and custom. The author is merciless in detail and in his use of a technical vocabulary, and generally takes for granted that his reader knows a great deal about the subject.

The main scheme of division consists of four parts (*Abschnitte*) divided into about thirteen sections each. The first two parts, running to 1485, comprise little less than half the book. The old dilemma between topics and chronology is met with no unusual success. The first section of each part gives a thin chronological outline that is not full enough to be informing and yet occasions repetition. Then follow sections dealing with classes, king, Parliament, local administration, judiciary, finance, etc. The strength of the book lies distinctly in the modern half. On the Continental side, the author appears to know his medieval institutions and law as well as his modern. But on the English side this is not so, and a mass of good material is made much less serviceable than it deserves to be through mistakes, omissions, and poor judgment in the matter of proportion and emphasis. Errors that are old acquaintances reappear: Hengist and Horsa are mentioned as historical personages (p. 2); William I. is made to scatter the fiefs in order to weaken feudalism (p. 15). The speech attributed to Hubert Walter on the occasion of John's coronation is again seriously used for 1199: it is stated that Paris, a *Zeitgenosse*, ascribed it to the archbishop and hence it represents a conception of the time (p. 66). Paris was born

probably the year following. The author's mind is still haunted with a *commune concilium* (a term important enough to stand in the brief index) which he finds in article XIV. of Magna Carta and elsewhere (pp. 23, 209). The jury is distinctly slighted; the account to Edward I. would be unintelligible to one not already knowing much of the subject. The analysis of the first article of the Assize of Clarendon is altogether confusing, article XIV. is not mentioned, and neither here nor later is there any discussion of the origin of the grand jury (pp. 123–126).

The Assize of Clarendon, he says, "introduced the jury for criminal cases, and reserved all the greater crimes exclusively for the royal jurisdiction", a fair specimen of the astonishingly loose statements which sometimes occur (p. 17). The element of election in the royal succession is not well understood either before or after the Conquest, and is greatly overemphasized; no real analysis of the different instances is attempted (pp. 55–56). The discussion of the structural origin of the House of Commons is especially inadequate. It is assumed at the outset that the representative principle inhered in the county court and that this was early brought into connection with consent to taxation. Yet the only case examined is as late as 1337. It is not convincing to be told that though this came long after the Model Parliament it is nevertheless *für die frühere Zeit belehrend*. On concentration, the origin of the assembly feature, scarcely anything is said: it saved the trouble of sending commissioners to the counties and men had the habit of coming to the king's court on judicial business. Not an instance is examined; our old friends, 1213 and 1254, are ignored (pp. 209–216). Throughout this part of the subject the element of royal initiative is not appreciated. In support of his view that consent to taxation was the fundamental cause of a central, representative assembly, the author cites Riess's well-known monographs which attempt to prove the exact opposite. It is inconceivable that a German scholar should not know this; but in some way the citation was introduced and has been left standing (p. 209). Such perversions give one an odd feeling of insecurity. On Parliament's acquisition of the taxing and legislative powers there is little that is objective, no citation or analysis of cases. There is full discussion of the new forms of taxation and of statutes, and then it is taken for granted that Parliament controlled taxation and made statutes (pp. 223–225). Here and in many places the *doctor juris* is prominent. There are many isolated slips. The Salisbury oath is derived from an Anglo-Saxon precedent, and seems to be regarded as both a feudal and a public oath (pp. 15–16). Scutage is made to originate in 1166 (p. 17). Edward I.'s reign is stated to have begun on the day of his father's death (p. 67). There is no space for more illustrations, but very many more are at hand.

The bibliographies which head the sections show a remarkably full and appreciative knowledge of the literature. Yet there can be no doubt that if the author had read less and with more reflection he would have

written the early part of his book better. And there are, in the lists, sins of inclusion and omission. The book is shamefully marred from beginning to end by typographical errors. These are largely, but by no means wholly, in the English proper names, titles, and quotations.

ALBERT BEEBE WHITE.

*The Loss of Normandy, 1189-1204: Studies in the History of the Angevin Empire.* F. M. POWICKE, M.A., Fellow of Merton College, Oxford. [Publications of the University of Manchester, Historical Series, no. XVI.] (Manchester: The University Press. 1913. Pp. xix, 603.)

THE title of Professor Powicke's book hardly does justice to its scope. It naturally implies a narrative history of the struggle of Philip Augustus to obtain Normandy and of the Angevin kings to keep possession. It is much more than this, for probably one-half is concerned with questions which in a broad sense are constitutional. A brief introduction discusses authorities. The first chapter, also short, on the Angevin empire in France as a whole, emphasizes the importance to the empire of the possessions which had been brought together by the counts of Anjou. Chapters II. and III. deal respectively with common elements in the administration of the Angevin empire and the administration of Normandy. The term administration is used in a wide sense covering nearly all the operations of government. Chapter IV., King Richard and his Allies, is introductory to the narrative proper, and contains a discussion of some institutional topics like homage. With chapter V., Richard I. and Normandy, the narrative history of the struggle begins, and chapter VI., the Loss of Normandy, continues the history to John's withdrawal to England. Chapter VII., the Norman Defences, deals at length with the castle and its place both in military organization and in administration. Chapter VIII., War and Finance, is almost wholly constitutional; chapter IX. on Philip's treatment of Normandy is in part constitutional; and chapter VI., on the consequences of the wars in Normandy is constitutional and social. Appendixes and long notes discuss important topics, among them the truce of God; parage; the Norman bailiwicks; certain Norman officers; King John and Arthur of Brittany, reprinting the author's article in the *English Historical Review*, which is a strong argument for a trial of John on the charge of murder, but rather doubtful legally if John lost Normandy by the supposed first decision; and a detailed account of the division of the baronage resulting from the loss of Normandy, family by family, or fief by fief, which is of great value for reference, and would be of greater value if the names had been included in the index.

A book of this scope, treating of these topics, necessarily touches the feudal system at many points, and must refer in detail to feudal law and customs. In these matters Professor Powicke shows a breadth and accuracy of knowledge hitherto unusual in writers in this field. In a